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OFFICE OF PETITIONS

In re Application of Harris Jr. et al.	:	
Application No. 10/709,903	:	Decision on Petition
Filing Date: June 4, 2004	:	
Attorney Docket No. HARRIS-1	:	

This is a decision on the petition under 37 CFR 1.137(b), filed August 7, 2009, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed April 17, 2007, which set a shortened statutory period for reply of three (3) months. An extension of time under the provisions of 37 CFR 1.136(a) was not obtained. Accordingly, the above-identified application became abandoned on July 18, 2007. A Notice of Abandonment was mailed on December 13, 2007.

The instant petition requests revival of the application.

A grantable petition under 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed,
- (2) The petition fee,
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, and
- (4) A terminal disclaimer and fee if the application was filed on or before June 8, 1995 or if the application is a design application.

Petitioner submitted a reply to the April 17, 2007 non-final Office action on April 7, 2009. Petitioner submitted the required petition fee of \$810 on April 7, 2009. Petitioner has stated the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

Technology Center Art Unit 3772 will be informed of the instant decision and the application will be further examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

A handwritten signature in black ink, appearing to read 'C. S. Brantley', with a stylized, cursive script.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions